

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Peter F. Barry,

Plaintiff,

v.

Texas Market Research, L.L.C.,

Defendant.

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Court File No. 21-cv-1312 (DWF/KMM)

**DEFENDANT'S MOTION TO  
DISMISS PLAINTIFF'S AMENDED  
COMPLAINT**

Defendant Texas Market Research Group, L.L.C. moves this Court for an order dismissing the Amended Complaint for lack of standing and lack of subject matter jurisdiction as a result of derivative immunity under Fed. R. Civ.P. 12(b)(1), dismissing the Amended Complaint for failure to state a claim under Fed. R. Civ. P. 12(b)(6), and striking class allegations under Fed. R. Civ. P. 12(f). This motion is supported by an accompanying memorandum of law, arguments of counsel, and all the files, records, and proceedings in this case.

**TAFT STETTINIUS & HOLLISTER LLP**

By: */s/ Andrew M. Carlson*

Dated: August 31, 2021

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